

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

PLAN PROS, INC.,)	
)	
Plaintiff,)	8:08CV125
)	
v.)	
)	
BRIAN ZYCH, d/b/a ZYCH)	ORDER
CONSTRUCTION, TRACY ZYCH,)	
ZYCH CONSTRUCTION L.L.C.,)	
KENNETH TINNES, d/b/a KT)	
DESIGN and KEN TINNES)	
RESIDENTIAL DESIGN, CBS HOME)	
REAL ESTATE COMPANY, WILSON)	
MARTINEZ and CORA MARTINEZ,)	
)	
Defendants.)	
_____)	

This matter is before the Court on defendants Wilson Martinez and Cora Martinez' motion to dismiss cross-claims against defendants Brian Zych, d/b/a Zych Construction, Zych Construction L.L.C., Tracy Zych, and Kenneth Tinnes, d/b/a KT Design and Ken Tinnes Residential Design without prejudice (Filing No. 36). The Court notes no response has been filed thereto and finds said motion should be granted. Accordingly,

IT IS ORDERED that the motion is granted; defendants Wilson Martinez and Cora Martinez' cross-claims against defendants Brian Zych, d/b/a Zych Construction, Zych Construction

L.L.C., Tracy Zych, and Kenneth Tinnes, d/b/a KT Design and Ken Tinnes Residential Design are dismissed without prejudice.

DATED this 31st day of October, 2008.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court